

PATENT
Customer No. 22,852
Attorney Docket No. 08702.0010-12000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Larsen et al.

Application No.: 09/935,144

Filed: August 21, 2001

For: NOVEL P-SELECTIN LIGAND
PROTEIN

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)
) Group Art Unit: 1646

)
) Examiner: Janet L. Andres
)
)
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*Fee
purpose
only*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing under 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2004.

Sirpa Kirjonen

RESPONSE TO RESTRICTION REQUIREMENT

AND PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

In reply to the Office Action mailed February 18, 2004 requiring restriction under 35 U.S.C. §121 of the pending claims and withdrawing a September 16, 2003 restriction, Applicants provisionally elect Group IV (claims 58-61, drawn to methods of treatment) with traverse and submit amendments to the claims.

FEE VALUE	
ACCOUNT NO. 17	
DEPOSIT ACCOUNT	
06	10916
FEE CODE	WILL
1202	14400
1201	57600

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lines 29-34; page 12, lines 35-37; page 13, line 16 to page 14, line 24; page 21, lines 34 to page 22, line 17; page 48, lines 11-19; page 49, lines 28-30; and Figure 12, for example.

The new claims are drawn to methods of treatment, and Applicants believe that all new claims fall within provisionally elected Group IV. Like the claims of Group IV, the new claims relate to methods of treatment, comprising administering a therapeutically effective amount of a P-selectin ligand protein to a subject. Similarly, the protein to be administered in new claims 62-69, comprises amino acid 42 to amino acid 60 of SEQ ID NO:2. Applicants, thus, request that the new claims be examined with the claims of Group IV if the current restriction is maintained.

In view of the foregoing amendments and remarks, Applicants respectfully request examination of this application and the timely allowance of the pending claims.

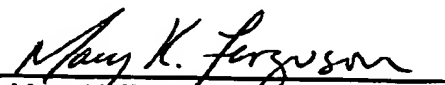
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 18, 2004

By: _____


Mary K. Ferguson
Reg. No. 51,675